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Attorneys for Mr. Castro

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE NITA L. STORMES)

UNITED STATES OF AMERICA,)	Criminal No. 08MJ1348
)	
Plaintiff,)	
)	
v.)	
)	MOTION TO PRESERVE EVIDENCE
DANIEL CRUZ-ESCOBAR,)	
)	
Defendant.)	

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY and
CHARLOTT KAISER, ASSISTANT UNITED STATES ATTORNEY.

PLEASE TAKE NOTICE that the Defendant, Daniel Cruz-Escobar, by and through counsel, Todd W. Burns and Federal Defenders of San Diego, Inc., asks this Court to order the government preserve any evidence related to his seizure, including any video or audio recordings.

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1 According to the complaint, Defendant Daniel Cruz-Escobar was arrested on April 29, 2008, in the
2 area at the San Ysidro Port of Entry where pedestrians exit the United States to Mexico. Undersigned counsel
3 is aware there are surveillance cameras in that area, and anticipates filing a motion to suppress based on an
4 unlawful seizure. Accordingly, he requests the court order the government preserve any evidence related to
5 his seizure, including any video or audio recordings.

6 Respectfully submitted,

7 Date: May 5, 2008

/s/ TODD W. BURNS

TODD W. BURNS

Federal Defenders of San Diego, Inc.

Attorneys for Mr. Castro

CERTIFICATE OF SERVICE

Counsel for Defendant certifies that the foregoing pleading is true and accurate to the best information and belief, and that a copy of the foregoing document has been served this day upon:

Courtesy Copy Chambers

Courtesy Copy Assistant U.S. Attorney

Courtesy Copy Defendant

Dated: May 5, 2008

/s/ TODD W. BURNS

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